

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
SPECIAL CIVIL APPLICATION No. 13316 of 2007

For Approval and Signature:

HONOURABLE MS.JUSTICE H.N.DEVANI

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1 Whether Reporters of Local Papers may be allowed
to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy
of the judgment ?

4 Whether this case involves a substantial question
of law as to the interpretation of the
constitution of India, 1950 or any order made
thereunder ?

5 Whether it is to be circulated to the civil
judge ?

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GORASIA EDUCATION SOCIETY - Petitioner(s)
Versus

KUTCH UNIVERSITY & 1 - Respondent(s)

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Appearance :

MR RR VAKIL for Petitioner,
MR AR THACKER for Respondent No.1,
MS NISHA PARIKH ASST.GOV.T.for Respondent No.2,

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CORAM : HONOURABLE MS.JUSTICE H.N.DEVANI

Date : 24/05/2007

ORAL JUDGMENT

1. Rule. Mr.A.R. Thacker learned advocate waives service of notice on behalf of respondent No.1 and Ms.Nisha Parikh, learned Asst. Govt. Pleader waives service of notice on behalf of respondent No.2 - State of Gujarat.
2. Heard the learned advocates for the respective parties.

3. The petitioner, a Public Trust, running an educational institution had sought recognition from National Council for Teachers Education for starting a Bachelor of Education College with an intake of 100 students and such recognition came to be granted on 11/18-4-2007 for the academic year 2007-2008.
4. The case of the petitioner is that, despite recognition having been granted by the National Council for Teachers Education, the University is not granting affiliation in respect of the said College. The learned advocate for the petitioner has submitted that the application for affiliation has been made on 4/5/2007, and the same is lying with the University since then for taking appropriate decision.
5. Learned advocate for the petitioner has placed reliance upon an order dated 7/5/2007 passed by a Division Bench of this Court in Letters Patent Appeal No.201 of 2007 and other cognate matters.
6. In light of the aforesaid order passed by the Division Bench, respondent No.1 - Kachchh University is hereby directed to take decision on the application of the petitioner for affiliation of its college within 15 days from today and forward the decision to the State Government for appropriate orders. On receipt of the papers from the University, the State Government is directed to take a final decision thereon within a period of two weeks thereafter, keeping in mind the decision of the Apex

Court in the case of State of Maharashtra Vs. Sant Dnyaneshwar Shikshan Shastra Mahavidhyalaya and others, JT 2006(4) SC 201.

7. With the aforesaid directions, the petition stands disposed of accordingly. Direct service is permitted.

(HARSHA DEVANI, J.)

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